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REMARKS

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Claims 35-91 remain in this application. Claims 1-34 have been canceled. Claims 35-91 have been added.

The Examiner objected to the drawings because the margins do not comply with 37 C.F.R. § 1.84. In response, the Applicants submit herein corrected formal drawings with the appropriate margins. The amendments to the drawings conform in all respects to the drawings originally submitted in this application.

Before responding to the Examiner's rejections in view of the prior art, a brief description of the present application is provided. The present invention stems from the limitation that certain Practice Management System (PMS) databases, with which the present invention interfaces, are missing certain features (e.g., both collecting patient data from a source and presenting the patient data to a recipient). The present invention provides a method and system that efficiently and openly interfaces with an existing database to provide features that are missing from the database. The invention is not predicated on any given database design or data structure. The present invention has been widely adopted since first being implemented on the Internet by the Applicants, while many competing systems have been tried and failed. Notably, the prior art database system disclosed by Evans was one of the failures. The Evans patent discloses a method that exists solely as a feature within the scope of its uniquely designed PMS database (that has been uniquely designed by Evans). Evans teaches that its method of collecting and presenting patient data is predicated on its uniquely designed database. This uniquely designed database was the basis of (and intent for) the method disclosed in Evans.

To put it another way, prior to the present invention, the prior art (such as Evans) teaches nothing more than a homogenous<sup>1</sup>, single platform<sup>2</sup> method to provide the

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<sup>1</sup> Homogenous: Applicable to systems of specific design, including single application software languages (e.g., VB), specific database technologies (e.g., MS Access), specific

above referenced features to its uniquely designed database, not PMS databases of other design. The Evans' method requires that a database has to be uniquely designed with the referenced features in mind. By contrast, the present invention is a heterogeneous<sup>3</sup>, cross-platform<sup>4</sup> method (and system) that provides the above referenced features (e.g., via an open database connectivity module, as well as other database interface technologies) to proprietary PMS databases not originally associated with the present invention. That is, the present invention enhances those proprietary PMS databases in a manner neither originally envisioned, nor provided, by their creators/publishers. The present invention does not require any prior design or redesign considerations of the PMS databases; it also does not require any modification of the PMS databases.

In an enhancement of the present invention, the patient identifiers and passwords are neither associated with nor incorporated into the core PMS database. That is, unlike the prior art system that incorporates patient identifiers and passwords into the core database, the present invention does not require the incorporation of the

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logical/physical designs (e.g., relational), and or specific manufacturer (e.g., Evans'). Considered the opposite of heterogeneous. This is a software constraint.

<sup>2</sup> Single-Platform: Applicable to systems on specific operating systems (e.g., Win32), specific hardware platforms (e.g., Apple), specific processing architectures (e.g., RISC), specific network hardware (e.g., serial), and/or specific network topologies (e.g., multiplexed). Considered the opposite of cross-platform. This is an infrastructure constraint.

<sup>3</sup> Heterogeneous: Applicable to systems of different design, including different application software languages (e.g., C/C++/C#, .NET, VB, COBOL), different database technologies (e.g., flat file, MS Access, SQL Server, Informix, Oracle), different logical/physical designs (relational, object-oriented, de/partially/fully normalized), and different manufacturer (See Appendix A). Considered the opposite of homogeneous. This is a software constraint.

<sup>4</sup> Cross-Platform: Applicable to systems operating on different computing systems (e.g., Unix (SCO, BSD], Windows XP/ME/2000/NT/98/95, Linux, Apple OS), different hardware platforms (e.g., Intel, SPARC, Apple), different processing architectures (e.g., CISC, RISC), different network hardware (e.g., none, CAT5, coaxial, serial), and different network topologies (e.g., standalone, direct-connect, multiplexed, token ring, ethernet [star and bus]). Considered the opposite of single-platform. This is an infrastructure constraint.

patient identifiers and passwords into the core database. The present invention manages these identifiers and passwords away from the core database (e.g., via a separate computer server). Thus, the identifiers and passwords are off-loaded from the core database; this management provides the advantage of controlled and monitored access to the core database without first requiring prior design or redesign of the core database. In addition, another disadvantage in the prior art's method of incorporating identifiers and passwords into the core database is that the identifiers and the passwords have to be issued by the practitioner (or a custodian) in order to protect the integrity of the core database. By contrast, since the identifiers and passwords are not incorporated into the core database, the present invention advantageously allows the requestors (e.g., the patient) to issue and maintain their access status without aid from the practitioner (or custodian).

Claims 1-34 are rejected under various prior art grounds. In order to expedite allowance, the rejected claims are being cancelled herein, without disclaimer and without prejudice. Accordingly, it is respectfully submitted that these rejections are now moot.

New Claims 35-91 have been added to clarify certain features of the subject matter being claimed. The limitations in these new claims are not disclosed in or suggested by the cited references currently used to reject Claims 1-34 (whether alone or in combination). That is, the cited references do not disclose or suggest a system and method for providing features (e.g., presenting and collecting patient data) to a database which initially do not have such features without having to modify the database. More specifically, with regard to independent Claim 35, the Applicants respectfully submit that the cited references fail to suggest or disclose a method of collecting and presenting patient data, the method comprising:

querying at least **one database** from a **plurality of databases** for patient and provider-specific data by a requestor **via a database connectivity module**;

determining the access status of the requestor;

selecting records on the at least one database that satisfy the query and are **accessible by the requestor and visible to a selected recipient**; and

presenting data to the recipient from one or more selected data fields from the at least one database in accordance with one or more objects or templates **via a medium determined by the recipient**. (Emphasis in bold added.)

Similar limitations, which are neither disclosed nor suggested by the cited references, are present in independent Claim 56. In addition, Claim 56 recites the additional limitations of a system for collecting and presenting patient data comprising:

**a database connectivity module for connecting to a plurality of databases;**

a data collector module;

at least one database server connected to the database connectivity module; and

a web server connected to an application server, the application server connected to the database connectivity module. (Emphasis in bold added.)

Claims 36-55 and 57-91 should be allowable for at least the reason that they depend from allowable respective base Claims 35 and 56. In addition, for example, Claim 38 is independently allowable because it recites the limitation of "wherein the querying, the determining, the selecting and the presenting steps can be applied without knowing the proprietary interface to the proprietary database." Claim 59 is independently allowable because it recites "wherein the system can access the proprietary database without knowing the proprietary interface to the proprietary database." Claim 40 is independently allowable because it recites "wherein the plurality of databases comprise a plurality of heterogeneous, cross-platform databases and

wherein the at least one database can be selected from any one of the heterogeneous, cross-platform databases.” Likewise, Claim 61 is independently allowable because it recites “wherein the database connectivity module can connect to a plurality of heterogeneous, cross-platform databases.” The cited references also do not suggest or disclose “matching an identifier and a password thereof stored in a password repository and wherein the password repository is not associated with the at least one database,” as defined in Claims 44 and 66; “wherein the matching of the elements against the database entries is integrated with, but managed separately from, the at least one database,” as defined in Claim 46; or, as defined in Claim 68, “wherein the requestor is the recipient and the recipient is a patient . . . and wherein the patient is able to issue and maintain its access status without aid from a practitioner.” Indeed, the cited references are totally unconcerned with providing features to a database which initially do not have such features (or originally were envisioned or provided by the database’s creator) without having to modify the database.

In view of the foregoing, the Applicants respectfully submit that Claims 35-91 are in condition for allowance. Reconsideration and withdrawal of the rejections is respectfully requested, and a timely Notice of Allowability is solicited. To the extent it would be helpful to placing this application in condition for allowance, the Applicants encourage the Examiner to contact the undersigned counsel and conduct a telephonic interview.

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Our check in the amount of \$262.00 is enclosed (\$207.00 for the later presentation of twenty-three total claims in excess of twenty, pursuant to 37 C.F.R. § 1.16(c) and \$55.00 for a one-month extension of time, extending to April 23, 2003, the period for response to the Office Action dated December 23, 2002). The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-0639.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "B. Berliner".

Brian M. Berliner  
Attorney for Applicants  
Registration No. 34,549

Date: April 23, 2003

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Enclosure: Proposed Corrected Formal Drawings (9 sheets)

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